

**REMARKS**

As set forth in the attached declaration of D. Jarrett Collins, Applicant and Assignee states that it had no information about, and no knowledge of, the Securities and Exchange Commission Briefing or the invention described therein prior to February 6, 2007, when it received a Notice of Withdrawal From Issue of the '535 application.

Counsel for the Applicant spoke with the examiner on February 8, 2007, and was told that an SEC-related reference precipitated the withdrawal from issue. Counsel for the Applicant visited the USPTO on February 12, 2007 to obtain a copy of the reference, and only then did Applicant become aware of the briefing and the invention described therein.

In answer to the second part of the requirement, Applicant's predecessor-in-interest for the '535 application, Harborside Plus, Inc., offered a trading system and method incorporating the claimed subject matter under the names "Harborside", "Harborside Plus", "Harborside Indication Manager", and "HIM". As previously discussed in Harborside Plus, Inc.'s Petition to Make Special, Applicant believes that Liquidnet, Inc. is currently offering a trading system and method incorporating the claimed subject matter.

Respectfully,

/John A. Galbreath/  
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**Certificate of Electronic Transmission:** I certify that on the date below, this document and referenced attachments, if any, was submitted electronically to the U.S. Patent Office via its online filing system.

19 March 2007

/John A. Galbreath/